

**SUPREME COURT MINUTES
FRIDAY, JULY 9, 2010
SAN FRANCISCO, CALIFORNIA**

S153170 F050325 Fifth Appellate District **PEOPLE v. GASTELLO
(TOMMY)**

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to September 22, 2010, or the date upon which rehearing is either granted or denied, whichever occurs first.

S182411 B211325 Second Appellate District, Div. 3 **PEOPLE v. PEREZ (JOSE
LUIS)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 16, 2010.

S182419 B213630 Second Appellate District, Div. 5 **PEOPLE v. ZUNIGA (EDDY)**
The time for granting or denying review in the above-entitled matter is hereby extended to August 18, 2010.

S182476 C060673 Third Appellate District **PEOPLE v. STACY (MIRYA
LYNN)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 16, 2010.

S182484 B210343 Second Appellate District, Div. 1 **PEOPLE v. KURNEY (IRA
LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 19, 2010.

S182523 H033369 Sixth Appellate District **PEOPLE v. MITCHELL
(VITO LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 16, 2010.

S182585 A128313 First Appellate District, Div. 4 **BARLOW (JEREMY) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 9, 2010.

S182656 F056070 Fifth Appellate District **PEOPLE v. CROSBY (BENJAMIN LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 19, 2010.

S182676 D055331 Fourth Appellate District, Div. 1 **PEOPLE v. HERNANDEZ (CHRISTOPHER PRIETO)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 16, 2010.

S182699 B213003 Second Appellate District, Div. 5 **PEOPLE v. YOKELY (SHON RAMONE)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 16, 2010.

S182714 A120315 First Appellate District, Div. 4 **PEOPLE v. JOHNSON (ANTHONY)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 13, 2010.

S182715 C061189 Third Appellate District **PEOPLE v. PEARSON (JESSE LITTLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 13, 2010.

S182716 B213944 Second Appellate District, Div. 6 **PEOPLE v. FRIEDECK (JOHN CASEY)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 13, 2010.

S182718 B212089 Second Appellate District, Div. 7 **PEOPLE v. HESS (JAMES)**
The time for granting or denying review in the above-entitled matter is hereby extended to August 13, 2010.

S182721 E047898 Fourth Appellate District, Div. 2 **PEOPLE v. BECKER
(WALTER)**
The time for granting or denying review in the above-entitled matter is hereby extended to August 13, 2010.

S182726 D056093/D056870 Fourth Appellate District, Div. 1 **PEOPLE v. CAPONE
(GIOVANNA)**
The time for granting or denying review in the above-entitled matter is hereby extended to August 13, 2010.

S182732 C061031 Third Appellate District **MARTINEZ (STEVEN C.) v.
BOARD OF PAROLE
HEARINGS**
The time for granting or denying review in the above-entitled matter is hereby extended to August 13, 2010.

S182742 B210546 Second Appellate District, Div. 5 **PEOPLE v. CAMACHO
(GEORGE)**
The time for granting or denying review in the above-entitled matter is hereby extended to August 13, 2010.

S182762 A123840 First Appellate District, Div. 5 **PEOPLE v. TAYLOR
(KENNETH CHARLES)**
The time for granting or denying review in the above-entitled matter is hereby extended to August 16, 2010.

S182766 H034126 Sixth Appellate District **PEOPLE v. TURNER
(TAMIKO NIKIA)**
The time for granting or denying review in the above-entitled matter is hereby extended to August 16, 2010.

S182768 B213930 Second Appellate District, Div. 7 **PEOPLE v. VIGIL (VINCENT J.)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 16, 2010.

S182770 H033701 Sixth Appellate District **PEOPLE v. HERNANDEZ (PEDRO CRUZ)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 16, 2010.

S182789 D055162 Fourth Appellate District, Div. 1 **PEOPLE v. BEVILACQUA (EDWARD U.)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 18, 2010.

S182805 B212776 Second Appellate District, Div. 7 **PEOPLE v. LEWIS (BRYAN JOSEPH)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 19, 2010.

S182806 D046394/D049238 Fourth Appellate District, Div. 1 **PEOPLE v. FREEMAN (MARILYN KAYE)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 19, 2010.

S182809 B207087 Second Appellate District, Div. 2 **PEOPLE v. FUENTES (ERICK)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 19, 2010.

S182817 C064776 Third Appellate District **DOE (JOHN TZ) v. S.C. (DOE 1)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 18, 2010.

S182833 H035177 Sixth Appellate District

**HERNANDEZ (PEDRO
CRUZ) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to August 18, 2010.

S182848 A123009 First Appellate District, Div. 5

**ALL ONE GOD FAITH, INC.
v. ORGANIC &
SUSTAINABLE INDUSTRY
STANDARDS, INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to August 18, 2010.

S182856 B224027 Second Appellate District, Div. 6

PEOPLE v. S.C. (FERRARI)

The time for granting or denying review in the above-entitled matter is hereby extended to August 19, 2010.

S182857 C064891 Third Appellate District

**ANDERSON (COREY
OLIVER) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 19, 2010.

S182862 B213565 Second Appellate District, Div. 8

**PEOPLE v. SMART (AARON
LEVART)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 19, 2010.

S182868 H032711 Sixth Appellate District

**PEOPLE v. AGUILAR
(SANDRA)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 19, 2010.

S182904 H034392 Sixth Appellate District

**PEOPLE V. KELLER (TERRY
LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 18, 2010.

S182916 E047477 Fourth Appellate District, Div. 2 **PEOPLE v. FERGUSON
(KATHLEEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 18, 2010.

S182949 C064823 Third Appellate District **CHAPPELL (MATTHEW) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to August 19, 2010.

S027094 **PEOPLE v. ELLIOT
(MARCHAND)**

Extension of time granted

Good cause appearing, and based upon counsel Richard B. Mazer's representation that he anticipates filing the appellant's reply brief by September 7, 2010, counsel's request for an extension of time in which to file that brief is granted to September 7, 2010. After that date, no further extension will be granted.

S043520 **PEOPLE v. POWELL (CARL
DEVON)**

Extension of time granted

Good cause appearing, and based upon counsel Neoma Kenwood's representation that she anticipates filing the appellant's opening brief by November 9, 2010, counsel's request for an extension of time in which to file that brief is granted to September 7, 2010. After that date, only one further extension totaling about 60 additional days is contemplated.

S057242 **PEOPLE v. SPENCER
(CHRISTOPHER ALAN)**

Extension of time granted

Good cause appearing, and based upon counsel Emry J. Allen's representation that he anticipates filing the appellant's opening brief by September 3, 2010, counsel's request for an extension of time in which to file that brief is granted to September 3, 2010. After that date, no further extension is contemplated.

S067392**PEOPLE v. FREDERICKSON
(DANIEL CARL)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Douglas Ward's representation that he anticipates filing the appellant's reply brief by December 2010, counsel's request for an extension of time in which to file that brief is granted to September 7, 2010. After that date, only two further extensions totaling about 110 additional days are contemplated.

S073823**PEOPLE v. BUENROSTRO
(DORA)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Nina Rivkind's representation that she anticipates filing the appellant's reply brief by January 10, 2011, counsel's request for an extension of time in which to file that brief is granted to September 10, 2010. After that date, only two further extensions totaling about 120 additional days are contemplated.

S076339**PEOPLE v. GRIMES (GARY
LEE)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Stephanie A. Mitchell's representation that she anticipates filing the respondent's brief by January 10, 2011, counsel's request for an extension of time in which to file that brief is granted to September 7, 2010. After that date, only two further extensions totaling about 120 additional days are contemplated.

S078895**PEOPLE v. SIVONGXXAY
(VAENE)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Douglas Ward's representation that he anticipates filing the appellant's opening brief by April 2011, counsel's request for an extension of time in which to file that brief is granted to September 7, 2010. After that date, only four further extensions totaling about 210 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S080477**PEOPLE v. BANKS (KELVYN RONDELL)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Allison H. Chung's representation that she anticipates filing the respondent's brief by September 23, 2010, counsel's request for an extension of time in which to file that brief is granted to September 10, 2010. After that date, only one further extension totaling about 13 additional days is contemplated.

S087569**PEOPLE v. SANCHEZ (JUAN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender John Fresquez's representation that he anticipates filing the appellant's opening brief by March 2012, counsel's request for an extension of time in which to file that brief is granted to September 7, 2010. After that date, only nine further extensions totaling about 540 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S092615**PEOPLE v. DEEN (OMAR RICHARD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 14, 2010.

S119296**PEOPLE v. BATTLE (THOMAS LEE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 10, 2010.

S127119**PEOPLE v. GIVENS (TODD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 7, 2010.

S137290**PEOPLE v. GOVIN (PRAVIN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 7, 2010.

S140173**PEOPLE v. FRIEDMAN
(KENNETH)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 7, 2010.

S155651**ABILEZ (FRANK MANUEL)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Michael Laurence's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by September 7, 2010, counsel's request for an extension of time in which to file that document is granted to September 7, 2010. After that date, no further extension is contemplated.

S178504**DALTON (KERRY LYN) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Annie Featherman Fraser's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by December 8, 2010, counsel's request for an extension of time in which to file that document is granted to September 9, 2010. After that date, only two further extensions totaling about 90 additional days are contemplated.

S179660

B204646 Second Appellate District, Div. 3

**PEOPLE v. SALEEM
(ETHAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to August 5, 2010.

S075875**PEOPLE v. RUSSELL
(TIMOTHY R.)**

Order filed

Good cause appearing, appellant's "Motion for Leave to File Oversized Supplemental Opening Brief" is granted. The supplemental respondent's brief must be served and filed on or before July 29, 2010. Appellant's supplemental reply brief will be due within 10 days of the filing of the supplemental respondent's brief.

S184053**KEMPER (WINSTON) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, First Appellate District

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S184121**FARLOUGH (DEXTER) v.
S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S184161**GRAY (DARYL) v. OFFICE
OF THE DISTRICT
ATTORNEY OF LOS
ANGELES (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District.

S184290**BARKER (RICHARD A.) v.
S.C. (MOSKOWITZ)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

